

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS**

Requirements for Commencing a New Bankruptcy Case

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I. VOLUNTARY CHAPTER 7 CASE

- A. Voluntary Petition (Official Form 1). Exhibit D is required for individual debtors.
- B. Filing Fee of \$245 plus \$15 Trustee fee plus \$39 Administrative Fee (\$299 total)
 - Or
 - Application to Pay in Installments (Official Form 3A)
 - With proposed order
 - Debtor(s) must be individual and must submit a signed Application for Court approval. Rule 1006(b), Fed.R.Bankr.P.
 - Or
 - Application to Waive Filing Fee in a Chapter 7 Case (Official Form 3B)
 - With proposed order
 - 11 USC §1930(f)(1)
- C. Declaration for Electronic Filing (Exhibit B-1 or B-2 to LBR Appendix 5005)
 - If case is filed electronically, must be executed by the debtor(s) and original submitted to the Court within five (5) business days in paper format. LBR, Appendix 5005, Part II (Electronic Filing and Service of Documents) paragraph C. (Signatures) sub-section 3.
 - Or
 - Statement of Social Security Number (Official Form 21)
 - If case is filed by pro se debtor(s) and received via the U.S. mail, must be executed by the individual debtor(s) and original submitted to the Court within five (5) business days in paper format.
- D. Notice to Individual Consumer Debtor(s) (Official Form 201)
- E. Certificate of Budget and Credit Counseling Course
 - with any Debtor Repayment Plan developed with credit agency

- Required at filing for all individual debtors; 11 USC §521
- Or
- Motion for Exemption from Credit Counseling
with Certificate of Exigent Circumstances
- F. Chapter 7 Statement of Current Monthly Income and Means Test Calculation
(Official Form 22A)
- Or
- Motion for Exemption from Means Test
11 USC §707
- G. List of Creditors (Master Mailing List (Matrix))
Names and addresses of all creditors of the debtor.
Must be submitted with the petition. Rule 1007(a), Fed.R.Bankr.P. and LBR Appendix 1007-b-5.
- H. Schedules (Official Forms 6-Summary, Summ2, Decl, A, B, C, D, E, F, G, H, I, J)
Summary - Summary of Schedules
Summ2 - Statistical Summary of Certain Liabilities
Individual debtors only, 28 U.S.C. § 159
Decl - Declaration Concerning Debtor's Schedules
Schedule A - Real Property
Schedule B - Personal Property
Schedule C - Property Claimed as Exempt
Schedule D - Creditors Holding Secured Claims
Schedule E - Creditors Holding Unsecured Priority Claims
Schedule F - Creditors Holding Unsecured Nonpriority Claims
Schedule G - Executory Contracts and Unexpired Leases
Schedule H - Co-Debtors
Schedule I - Current Income of Individual Debtor(s)
Schedule J - Current Expenditures of Individual Debtor(s)
Must be submitted within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
- I. Statement of Financial Affairs (Official Form 7).
Must be submitted within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
- J. Chapter 7 Individual Debtor's Statement of Intention (Official Form 8).
Required if the debtor is an individual and the schedule of assets and liabilities contains consumer debts secured by property of the estate. Must be submitted within 30 days of filing of the petition or by the date set for the Section 341 first meeting of creditors, whichever is earlier. 11 U.S.C. § 521(2).
- K. Disclosure of Compensation of Attorney for Debtor.
Must be submitted within 15 days. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- Or
- Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer with
Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Forms
19 A and 19 B).
Must be submitted with the petition. 11 U.S.C. §110.

Clerk's Note: If filed electronically at the front counter, no additional copies are required. If filed by a pro se debtor using the U.S. Mail and a file stamped copy is to be returned to the debtor, an additional copy is required, plus a suitably sized, self addressed envelope with sufficient postage affixed.

II. VOLUNTARY CHAPTER 9 CASE

_ To be added

III. VOLUNTARY CHAPTER 11 CASE

A. Voluntary Petition (Official Form 1).

With

Exhibit "A"

Must be attached to petition if debtor is required to file periodic reports (e.g. forms 10K and 10Q) with the Securities & Exchange Commission pursuant to Sections 13 or 15(d) of the Securities Act of 1934 and is requesting relief under chapter 11 of the Bankruptcy Code.

B. Filing fee of \$1000 plus \$39 Administrative Fee (\$1039 total)

C. Declaration for Electronic Filing (Exhibit B-1 or B-2 to LBR Appendix 5005)

If case is filed electronically, must be executed by the debtor and original submitted to the Court within five (5) business days in paper format. LBR, Appendix 5005, Part II (Electronic Filing and Service of Documents) paragraph C. (Signatures) sub-section 3.

Or

Statement of Social Security Number (Official Form 21)

If case is filed by pro se debtor(s) and received via the U.S. mail, must be executed by the individual debtor(s) and original submitted to the Court within five (5) business days in paper format.

D. Notice to Individual Consumer Debtor(s) (Official Form 201)

E. Certificate of Budget and Credit Counseling Course

with any Debtor Repayment Plan developed with credit agency

Required at filing for all individual debtors; 11 USC §521

Or

Motion for Exemption from Credit Counseling

with Certificate of Exigent Circumstances

F. Chapter 11 Statement of Current Monthly Income (Official Form 22 B)

G. List of Creditors (Master Mailing List (Matrix))

Names and addresses of all creditors of the debtor(s).

Must be submitted With the petition. Rule 1007(a), Fed.R.Bankr.P. and LBR Appendix 1007-b-5.

H. List of Creditors holding the 20 Largest Unsecured Claims (Official Form 4).

Must be submitted With the petition. Rule 1007(d), Fed.R.Bankr.P.

- I. **Names and Addresses of Equity Security Holders of the debtor.**
Must be submitted with the petition or within 15 days, unless the Court orders otherwise. Rule 1007(a)(3) & (c). Fed.R.Bankr.P.

- J. **Schedules (Official Forms 6-Summary, Summ2, Decl, A, B, C, D, E, F, G, H, I, J)**
 - Summary - Summary of Schedules
 - Summ2 - Statistical Summary of Certain Liabilities
Individual debtors only, 28 U.S.C. § 159
 - Decl - Declaration Concerning Debtor's Schedules
 - Schedule A - Real Property
 - Schedule B - Personal Property
 - Schedule C - Property Claimed as Exempt
 - Schedule D - Creditors Holding Secured Claims
 - Schedule E - Creditors Holding Unsecured Priority Claims
 - Schedule F - Creditors Holding Unsecured Nonpriority Claims
 - Schedule G - Executory Contracts and Unexpired Leases
 - Schedule H - Co-Debtors
 - Schedule I - Current Income of Individual Debtor(s)
 - Schedule J - Current Expenditures of Individual Debtor(s)

Must be submitted within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- K. **Statement of Financial Affairs (Official Form 7).**
Must be submitted within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- L. **Disclosure of Compensation of Attorney for Debtor.**
Must be submitted within 15 days. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.

- Or
Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer with Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Forms 19 A and 19 B).
 Must be submitted with the petition. 11 U.S.C. §110.

- M. **Small Business Balance Sheet**
If small business, must be submitted within 15 days.

- N. **Small Business Statement of Operations**
If small business, must be submitted within 15 days.

- O. **Small Business Cash-Flow Statement**
If small business, must be submitted within 15 days.

Clerk's Note: Clerk's Note: If filed electronically at the front counter, no additional copies are required. If filed by a pro se debtor using the U.S. Mail and a file stamped copy is to be returned to the debtor; an additional copy is required, plus a suitably sized, self addressed envelope with sufficient postage affixed.

IV. VOLUNTARY CHAPTER 12 CASE

- A. Voluntary Petition (Official Form 1). Exhibit D is required for individual debtors.
- B. Filing Fee of \$200 plus \$39 Administrative fee (\$239 total)
Or
Application to Pay in Installments (Official Form 3A)
With proposed order
Debtor(s) must be individual and must submit a signed Application for Court approval. Rule 1006(b), Fed.R.Bankr.P.
- C. Declaration for Electronic Filing (Exhibit B-1 or B-2 to LBR Appendix 5005)
If case is filed electronically, must be executed by the debtor and original submitted to the Court within five (5) business days in paper format. LBR, Appendix 5005, Part II (Electronic Filing and Service of Documents) paragraph C. (Signatures) sub-section 3.
Or
Statement of Social Security Number (Official Form 21)
If case is filed by a pro se debtor and received via the U.S. mail, must be executed by the individual debtor(s) and original submitted to the Court within five (5) business days in paper format.
- D. Notice to Individual Consumer Debtor(s) (Official Form 201)
- E. Certificate of Budget and Credit Counseling Course
with any Debtor Repayment Plan developed with credit agency
Required for all individual debtors; 11 USC §521
Or
Motion for Exemption from Credit Counseling
with Certificate of Exigent Circumstances
- F. List of Creditors (Master Mailing List (Matrix).
Names and addresses of all creditors of the debtor.
Must be submitted with the petition. Rule 1007(a), Fed.R.Bankr.P. and LBR Appendix 1007-b-5.
- G. Schedules (Official Forms 6-Summary, Summ2, Decl, A, B, C, D, E, F, G, H, I, J)
Summary - Summary of Schedules
Summ2 - Statistical Summary of Certain Liabilities
Individual debtors only, 28 U.S.C. § 159
Decl - Declaration Concerning Debtor's Schedules
Schedule A - Real Property
Schedule B - Personal Property
Schedule C - Property Claimed as Exempt
Schedule D - Creditors Holding Secured Claims
Schedule E - Creditors Holding Unsecured Priority Claims
Schedule F - Creditors Holding Unsecured Nonpriority Claims
Schedule G - Executory Contracts and Unexpired Leases
Schedule H - Co-Debtors

Schedule I - Current Income of Individual Debtor(s)

Schedule J - Current Expenditures of Individual Debtor(s)

Must be submitted within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- I. Statement of Financial Affairs (Official Form 7).
Must be submitted within 15 days. Rule 1007(b) & (c).
- J. Disclosure of Compensation of Attorney for Debtor.
Must be submitted within 15 days. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- Or
- Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer with Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Forms 19 A and 19 B).
Must be submitted with the petition. 11 U.S.C. §110.
- K. Chapter 12 Plan.
Must be submitted within 90 days. 11 U.S.C. § 1221.

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V. VOLUNTARY CHAPTER 13 CASE

- A. Voluntary Petition (Official Form 1). Exhibit D is required for individual debtors.
- B. Filing fee of \$235 Plus \$39 Administrative Fee (\$274 total)
Or
Application to Pay in Installments (Official Form 3A).
With proposed order
Debtor must be an individual and must submit a signed Application for Court approval. Rule 1006(b), Fed.R.Bankr.P.
- C. Declaration for Electronic Filing (Exhibit B-1 or B-2 to LBR Appendix 5005)
If case is filed electronically, must be executed by the debtor and original submitted to the Court within five (5) business days in paper format. LBR, Appendix 5005, Part II (Electronic Filing and Service of Documents) paragraph C. (Signatures) sub-section 3.
Or
Statement of Social Security Number (Official Form 21)
If case is filed by a pro se debtor and received via the U.S. mail, must be executed by the individual debtor(s) and original submitted to the Court within five (5) business days in paper format.
- D. Notice to Individual Consumer Debtor(s) (Official Form 201)
- E. Certificate of Budget and Credit Counseling Course

with any Debtor Repayment Plan developed with credit agency
Required at filing for all individual debtors; 11 USC §521

Or

Motion for Exemption from Credit Counseling
with Certificate of Exigent Circumstances

- F. Chapter 13 Statement of Current Monthly Income and Means Test Calculation (Official Form 22C)
 - G. List of Creditors (Master Mailing List (Matrix).
Names and addresses of all creditors of the debtor.
Must be submitted with the petition. Rule 1007(a), Fed.R.Bankr.P. and LBR Appendix 1007-b-5.
 - H. Schedules (Official Forms 6-Summary, Summ2, Decl, A, B, C, D, E, F, G, H, I, J)
Summary - Summary of Schedules
Summ2 - Statistical Summary of Certain Liabilities
Individual debtors only, 28 U.S.C. § 159
Decl - Declaration Concerning Debtor's Schedules
Schedule A - Real Property
Schedule B - Personal Property
Schedule C - Property Claimed as Exempt
Schedule D - Creditors Holding Secured Claims
Schedule E - Creditors Holding Unsecured Priority Claims
Schedule F - Creditors Holding Unsecured Nonpriority Claims
Schedule G - Executory Contracts and Unexpired Leases
Schedule H - Co-Debtors
Schedule I - Current Income of Individual Debtor(s)
Schedule J - Current Expenditures of Individual Debtor(s)
Must be submitted within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
 - I. Statement of Financial Affairs (Official Form 7).
Must be submitted within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
 - J. Chapter 13 Plan.
Must be submitted within 15 days. Rule 3015, Fed.R.Bankr.P.
 - K. Disclosure of Compensation of Attorney for Debtor.
Must be submitted within 15 days. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- Or
- Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer with Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Forms 19 A and 19 B).
Must be submitted with the petition. 11 U.S.C. §110.

*Clerk's Note: Clerk's Note: If filed electronically at the front counter, no additional copies are required.
If filed by a pro se debtor using the U.S. Mail and a file stamped copy is to be returned to the*

debtor, an additional copy is required, plus a suitably sized, self addressed envelope with sufficient postage affixed.

VI. VOLUNTARY CHAPTER 15 CASE

- A. Voluntary Petition (Official Form 1).
- B. Filing Fee of \$1000 plus \$39 Administrative fee (\$1039 total)
- C. Chapter 15 Service List

VII. INVOLUNTARY CHAPTER 7 OR 11 CASE

- A. Involuntary Petition (Official Form 5).
11 U.S.C. § 303.
- B. Declaration for Electronic Filing (Exhibit B-1 or B-2 to LBR Appendix 5005)
If case is filed electronically, must be executed by the debtor and submitted to the Court within five (5) business days in paper format. LBR, Appendix 5005, Part II (Electronic Filing and Service of Documents) paragraph C. (Signatures) sub-section 3.
- C. For a Chapter 7 case, Filing Fee of \$220 plus \$15 Trustee fee plus \$39 Administrative Fee (\$274 total)
Or
For a Chapter 11 case, Filing Fee of \$1000 plus \$39 Administrative Fee (\$1039 total)
Fee may not be paid in installments Rule 1006(b), Fed.R.Bankr.P.
- D. Completed Summons to Debtor in Involuntary Case (Procedural Form 250E)

Clerk's Note: Clerk's Note: If filed electronically at the front counter, no additional copies are required. If filed by a pro se debtor using the U.S. Mail and a file stamped copy is to be returned to the debtor, an additional copy is required, plus a suitably sized, self addressed envelope with sufficient postage affixed.

VIII. ADVERSARY CASE

For adversary proceedings filing requirements, see LBR Part VII (Adversary Proceedings) Rules 7003 - 7065.

- A. Filing fee of \$250 for complaint.